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April 6, 2022

**Via ECF**

Hon. Analisa Torres  
United States District Court Judge  
United States District Court-SDNY  
500 Pearl Street  
New York, NY 10007

Re: Sydney Hyman v. Andrew Fabbri and Jessica Cohen  
Case No. 19-civ. 10506 (AT)(SLC)

Dear Judge Torres:

As Your Honor may recall, Harrington, Ocko & Monk LLP (“HOM”), represents the Plaintiff Sydney Hyman (“Plaintiff” or “Hyman”), in the above-referenced matter. We submit this joint status report with Michael Murad Khan, Esq., counsel for the Defendant Andrew Fabbri (“Defendant” or “Fabbri”) one (1) week in advance of the Case Management Conference (CMC) scheduled for April 13, 2020, at 10:00 a.m.<sup>1</sup>

We can advise the Court that all fact discovery in this matter has been completed and all expert discovery has been completed with the sole exception of the deposition of one of Plaintiff’s expert witnesses, Danielle Joy Healey (DJ Healey). The deposition was to be conducted on March 25, 2022, but was cancelled minutes before it was to commence due to the sudden, unfortunate passing of the Court Reporter’s husband. Efforts were made by Counsel to obtain another Court Reporter, but they proved to be unsuccessful. The earliest available date for Counsel and the witness to conduct such deposition is tomorrow, April 7, 2022, and the Parties have confirmed such date.

Defense Counsel sent out multiple Subpoenas to non-parties, which were validly served—including upon 51 Greene Street, New York—and no responses have been received to date. It is the Plaintiff’s position that some if not all of the subpoenas were not timely served on such non-parties.

The Parties are far apart in prior settlement discussions. Plaintiff does however consent to this case being referred to Magistrate Judge Cave for settlement discussions. Defendant does not believe this to be a fruitful way to spend billable time if the Plaintiff’s demand still exceeds six (6) figures.

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<sup>1</sup> The Parties respectfully request clarification on whether the Case Management Conference will be held in person in Your Honor’s courtroom or by remote means.

Hon. Sarah L. Cave  
United States District Court Judge  
United States District Court-SDNY  
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Thank you for Your Honor's kind attention to this matter. We look forward to seeing you at the Case Management Conference scheduled for April 13, 2002, at 10:00 a.m.

HARRINGTON, OCKO & MONK, LLP

/s/ Michael W. Freudenberg

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By: Michael W. Freudenberg, Esq.

KHAN JOHNSON, LLP

/s/ Murad Michael Khan

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By: Murad Michael Khan, Esq.